

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:11cr257**

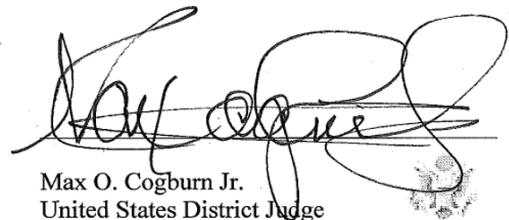
UNITED STATES OF AMERICA,)	
)	
)	
Vs.)	ORDER
)	Fifth Continuance
LEONEL LABRADA.)	
)	
)	

THIS MATTER is before the court on defendant's fifth Motion to Continue Trial Date. Having considered defendant's motion and reviewed the pleadings, the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that defendant's Motion to Continue Trial Date (#40) is **GRANTED**, and the court finds the delay caused by such continuance shall be excluded in accordance with 18 U.S.C. § 3161(h)(7)(A), based on a finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial. Specifically, the court finds that on April 20, 2012, defendant was arraigned on the Second Superseding Bill of Indictment, which added additional charges and an additional defendant. The court finds that the interests of justice require continuance as the additional charges impact the preparation of a defense and tactical decisions as to the charges, as defendant needs additional time to review additional discovery. See United States v. Alford, 142 F.3d 825, 829 (5th Cir. 1998).

Signed: April 24, 2012



A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.". The signature is fluid and cursive, with some loops and variations in line thickness.

Max O. Cogburn Jr.
United States District Judge